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Seventy-second session
Item 62 of the provisional agenda*
Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

Question of Western Sahara

Report of the Secretary-General

Summary

The present report, covering the period from 1 July 2016 to 30 June 2017, is submitted pursuant to General Assembly resolution 71/106 of 27 December 2016. It summarizes the most recent report submitted by the Secretary-General to the Security Council on the situation concerning Western Sahara (S/2017/307), with information on subsequent developments added where appropriate.

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1. On 27 December 2016, the General Assembly adopted without a vote resolution 71/106 on the question of Western Sahara. The present report, covering the period from 1 July 2016 to 30 June 2017, is submitted in accordance with paragraph 7 of the aforementioned resolution.

2. The Security Council addresses Western Sahara as a matter of peace and security, calling in successive resolutions for a "mutually acceptable political solution, which will provide for the self-determination of the people of Western Sahara". The Fourth Committee of the General Assembly (the Special Political and Decolonization Committee) and the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples address it as a Non-Self-Governing Territory and an issue of decolonization.

3. Pursuant to Security Council resolution 2285 (2016), I submitted a report to the Security Council on the situation concerning Western Sahara (S/2017/307) on 10 April 2017. In that report, I informed the Council of the situation on the ground; the status and the progress of the political negotiations on Western Sahara; the activities of the Secretary-General and his Personal Envoy; and the existing challenges to the operations of the United Nations Mission for the Referendum in Western Sahara (MINURSO), as well as steps taken to address them, in keeping with the request of the Security Council in its resolution 2285 (2016).

4. On 7 October 2016, insofar as MINURSO could ascertain, legislative elections were held without incident in Morocco and in the part of Western Sahara under Moroccan control. On 6 November 2016, King Mohammed VI delivered an address to mark the forty-first anniversary of the Green March. Regarding Western Sahara, the King stated that Morocco's "southern provinces" were strong "thanks to their populations' commitment to their Moroccan nationality". The address also praised "the specific development model and projects launched in the region", and the potential for Western Sahara "to become an integrated development hub, at both the regional and continental levels, and a platform for economic cooperation between Morocco and Africa". He also indicated that "Morocco will remain open and ever ready to engage in constructive dialogue in order to find a final political settlement". In a letter to my predecessor dated 24 September 2016, the Secretary-General of Frente Polisario denounced Morocco's conduct of the elections in Western Sahara, calling them an "illegal and provocative act given its status as a Non-Self-Governing Territory".

5. In the refugee camps near Tindouf, Algeria, public life and social activities were conducted peacefully and in a relatively calm atmosphere. The humanitarian situation in the refugee camps remained challenging. Operations continued to be affected by underfunding, despite high-level efforts to mobilize additional assistance. Donor briefings were organized by the Office of the United Nations High Commissioner for Refugees (UNHCR) in September and November 2016, in Algiers and Geneva, respectively. In June 2017, I expressed deep concern over the plight of tens of thousands of Sahrawi refugees faced with cuts in food rations owing to lack of donor funding. I noted that funding shortages had forced the World Food Programme to cut food rations by almost one fifth and to halt distributions of nutritional supplements to treat anaemia and malnutrition in pregnant women, nursing mothers and young children. Acute funding shortages continue to affect the provision of basic services and other programmes, including the efforts of UNHCR to pursue a multi-year livelihoods strategy with a particular focus on youth empowerment.

6. Representatives of the Office of the United Nations High Commissioner for Human Rights last visited Laayoune and Dakhla from 2 to 18 April 2015 and

Tindouf from 29 July to 4 August 2015. The special procedures of the Human Rights Council did not visit Western Sahara during the reporting period. The Government of Morocco has maintained its request that a follow-up visit to Western Sahara by the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, originally scheduled for April 2015, be delayed. Frente Polisario continued to express its readiness to cooperate with United Nations human rights mechanisms.

7. On 31 May 2016, the Secretary-General of Frente Polisario, Mohammed Abdelaziz, passed away. Brahim Ghali was elected as his successor at an extraordinary congress, held on 8 and 9 July, following his nomination by the National Secretariat of Frente Polisario.

8. In June 2016, the Personal Envoy of the Secretary-General began to consult the parties and neighbouring States on a resumption of the negotiating process. In a letter dated 29 July 2016 addressed to both parties and both neighbouring States, the Personal Envoy formalized his request and indicated his desire to visit the region to review recent developments and their implications, as well as the regional situation. Frente Polisario, Algeria and Mauritania responded that they stood ready to receive him at any time. Morocco replied positively, in principle, but deferred providing a concrete response.

9. On the margins of the opening of the seventy-first session of the General Assembly in September 2016, the Personal Envoy met with senior representatives of both parties and both neighbouring States. The then Minister-Delegate to the Minister of Foreign Affairs and Cooperation of Morocco, Nasser Bourita, reiterated that his country "remains a defender of, and engaged in, the negotiating process, to which it is committed on the basis of its autonomy initiative". He noted that, for Morocco, the conflict is a regional dispute with Algeria. He also indicated that the Personal Envoy would be welcome to visit Morocco after the new Government had been formed and ideally after the conclusion of the twenty-second session of the Conference of the Parties to the United Nations Framework Convention on Climate Change in Marrakech, Morocco, from 7 to 18 November 2016.

10. A member of the National Secretariat of Frente Polisario, Mohammed Salem Ould Salek, expressed regret over the lack of progress in the negotiating process. He emphasized the eagerness of Frente Polisario for the process to resume and reiterated its readiness to receive the Personal Envoy. He also described the difficulty that Frente Polisario was facing in maintaining the commitment of Western Saharans to the 1991 ceasefire in the absence of any progress towards the referendum for which the ceasefire had been established.

11. The Minister of State and Minister for Foreign Affairs and International Cooperation of Algeria, Ramtane Lamamra, underscored the importance of reviving the negotiating process, welcomed the Personal Envoy's proposed visit and stressed that his country would play a positive role in support of the parties when the process was once again under way. The Minister for Foreign Affairs and Cooperation of Mauritania, Isselkou Ould Ahmed Izid Bih, also welcomed the Personal Envoy's visit and stressed his county's concern regarding the security situation in the region, including the worrisome developments in the Guerguerat region of Western Sahara, as well as the need to resolve the overall conflict in order to improve the living conditions of all of North Africa's populations through economic integration.

12. In response to an invitation from the Government of France, the Personal Envoy visited Paris from 21 to 23 November 2016 to exchange views on the stalemate in the negotiating process and the tense situation in Guerguerat. His interlocutors expressed continued support for United Nations efforts, heightened

interest in working to revive the negotiating process and a readiness for further dialogue on how best to proceed in the light of seven years of deadlock.

13. On 15 November 2016, my predecessor met with King Mohammed VI on the margins of the twenty-second session of the Conference of the Parties (see para. 9 above) and underscored the importance of making progress in the Western Sahara negotiating process, as called for in the relevant Security Council resolutions. A senior member of the Secretariat was told in a subsequent meeting that Morocco would no longer receive the Personal Envoy because of his alleged bias in favour of Frente Polisario and Algeria. The Personal Envoy sent me a letter dated 23 January 2017 tendering his resignation effective on a date of my choosing. His assignment consequently ended on 30 April 2017.

14. In August 2016, increased tensions in the vicinity of Guerguerat in the buffer strip in southern Western Sahara saw armed elements of Morocco and Frente Polisario in close proximity to one another. In response, from 28 August 2016, MINURSO deployed a static team of military observers between the Moroccan and Frente Polisario positions along the road during daylight hours. On 25 February 2017, I issued a statement strongly urging Morocco and Frente Polisario to unconditionally withdraw all armed elements from the buffer strip near Guerguerat, to adhere to the letter and spirit of their obligations under the ceasefire agreement and to refrain from obstructing regular commercial traffic. On 26 February, Morocco announced its unilateral withdrawal from the buffer strip so as "to immediately apply and respect the request made by the United Nations Secretary-General". The withdrawal of all Frente Polisario elements from the Guerguerat area, between the berm and the border with Mauritania, was confirmed by MINURSO observers as having occurred over the course of 27 and 28 April.

15. MINURSO was unable to return to full functionality within the 90-day time frame stipulated by the Security Council in its resolution 2285 (2016). On 12 June 2016, an agreement was reached with the Government of Morocco on the return of 25 of the expelled international staff members, who were subsequently redeployed to the Mission. On 4 and 5 April 2017, the Permanent Representative of Morocco to the United Nations conveyed, in separate meetings, to my Under-Secretaries-General for Political Affairs and Peacekeeping Operations his authorities' readiness to accept the immediate return of all 17 MINURSO staff members who had been unable to return to their duty station since March 2016.

16. In its resolution 2351 (2017) of 28 April 2017, the Security Council extended the mandate of MINURSO until 30 April 2018. The Council affirmed its full support for the commitment of the Secretary-General and his Personal Envoy to relaunch the negotiating process with a new dynamic and a new spirit leading to the resumption of a political process with the aim of reaching a mutually acceptable political solution, which will provide for the self-determination of the people of Western Sahara in the context of arrangements consistent with the principles and purposes of the Charter of the United Nations. The Council recognized that the recent crisis in the buffer strip in Guerguerat raised fundamental questions related to the ceasefire and related agreements and encouraged the Secretary-General to explore ways that such questions could be resolved.

17. The conflict over the future legal status of Western Sahara must come to an end as soon as possible to enable the region to confront security threats, economic challenges and human suffering in a coordinated and cooperative manner. Despite the achievements of two successive Personal Envoys in providing the necessary facilitative framework, the parties have not taken advantage of the framework to engage in a cooperative search for a solution. On the basis of consultations with the parties and neighbouring States, members of the Group of Friends on Western

Sahara and the Security Council, as well as other important stakeholders, I intend to propose that the negotiating process be relaunched with a new dynamic and a new spirit that reflect the Council's guidance, with the aim of reaching a mutually acceptable political solution that will provide for the self-determination of the people of Western Sahara in the context of arrangements consistent with the principles and purposes of the Charter of the United Nations. For progress to be made, the negotiations must take into consideration the proposals and ideas of both parties. In addition, neighbouring countries can and should make important contributions to this process.

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Seventy-second session
Item 115 (d) of the provisional agenda*
Elections to fill vacancies in subsidiary organs and other elections: election of fifteen members of the Human Rights Council

Note verbale dated 16 August 2017 from the Permanent Mission of Nepal to the United Nations addressed to the President of the General Assembly

The Permanent Mission of Nepal to the United Nations, with reference to the candidature of Nepal for election to the Human Rights Council for the term 2018-2020, has the honour to transmit herewith a statement of the contributions, voluntary pledges and commitments of Nepal, pursuant to General Assembly resolution 60/251 (see annex).

The Permanent Mission of Nepal requests that the present note verbale and its annex be circulated as a document of the General Assembly.

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Annex to the note verbale dated 16 August 2017 from the Permanent Mission of Nepal to the United Nations addressed to the President of the General Assembly

Candidature of Nepal to the Human Rights Council, 2018-2020

Voluntary pledges and commitments pursuant to General Assembly resolution 60/251

I. Background

1. Nepal has presented its candidature to the Human Rights Council for the period 2018-2020, the elections for which will be held during the seventy-second session of the General Assembly, in New York in 2017.

2. Nepal remains fully committed to the promotion and protection of human rights and has adopted a wide range of legislative, institutional, policy and administrative measures to fulfil its national and international human rights obligations.

3. Nepal believes in inclusive, democratic rights and recognizes the interests and aspirations of all segments of society with respect to equitable and just development. Nepal also believes in an integrated approach to democracy, development and human rights and considers them to be essential characteristics of a civilized society. Nepal holds the view that all human rights are universal, indivisible, interdependent, interrelated and mutually reinforcing and, as such, merit balanced treatment and equal emphasis.

4. Nepal holds the view that ensuring that all interested States have a fair and equitable opportunity to serve in the Human Rights Council will enable them to further contribute to the universal promotion of human rights. This is the first time that Nepal has presented its candidature to the Council since its creation in 2006.

5. Nepal remains constructively engaged with the relevant United Nations human rights mechanisms and other international partners in the promotion and protection of human rights. Nepal was a member of the Commission on Human Rights during the periods 1995-2000 and 2004-2006, and served as Chair of the fifty-sixth session of the Commission, in 2000. Nepal also served as a member of the Bureau and Vice-Chair of the Commission during its fifty-fifth session, in 1999.

6. With the near conclusion of its historic peace process, Nepal sets a successful example of transformation from armed conflict to peaceful and democratic political order. Promulgation of the new democratic Constitution through the elected Constituent Assembly in September 2015 marked the start of a new era of peace and consolidation of democracy in Nepal. Against the background of these positive developments within the country, Nepal is prepared to take up important responsibilities in the human rights bodies of the United Nations.

II. Constructive engagement at the international level

7. The commitment of Nepal to human rights is manifested by the number of international human rights instruments to which it has subscribed. Nepal is a State party to 24 international human rights-related conventions/protocols, including seven of the nine core international human rights instruments. When compared against the country's level of development, adherence to such a high number of international human rights instruments is extraordinary.

8. The seven core conventions to which Nepal is a State party are the International Covenant on Civil and Political Rights; the International Covenant on Economic, Social and Cultural Rights; the Convention on the Rights of the Child; the Convention on the Elimination of All Forms of Discrimination against Women; the International Convention on the Elimination of All Forms of Racial Discrimination; the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; and the Convention on the Rights of Persons with Disabilities.

9. Nepal is also a State party to the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty. The abolition of the death penalty in Nepal has been firmly institutionalized by the Constitution and the law.

10. Nepal has ratified 11 conventions of the International Labour Organization (ILO), including 7 of the 8 fundamental conventions. In 2007, Nepal became a State party to the Indigenous and Tribal Peoples Convention, 1989 (No. 169).

11. In addition, Nepal is also a party to two conventions of the South Asian Association for Regional Cooperation that are related to human rights, namely, the Convention on Combating and Prevention of Trafficking in Women and Children for Prostitution and the Convention on Regional Arrangements for the Promotion of Child Welfare in South Asia. Nepal remains engaged in the promotion of human rights in the regional context. Nepal believes that the extension of internationally accepted human rights norms and practices in the regional framework would help to generate collective efforts in the cause of promoting human rights.

12. Nepal remains constructively engaged with the Office of the United Nations High Commissioner for Human Rights (OHCHR). Under an agreement signed in 2005 between Nepal and OHCHR, the latter established an office in Nepal to monitor the human rights situation in the country. The OHCHR Nepal office continued to function until 2011. Nepal appreciates the role played by the OHCHR Nepal office in monitoring the human rights situation in the country during the difficult period of armed conflict and in providing support and technical assistance to strengthen the capacity of the country's national human rights institutions.

13. Nepal believes in a collaborative and cooperative approach to solving problems in the realm of human rights. It views the universal periodic review as an innovative tool for peer review and sharing best practices in the field of human rights.

14. Nepal completed the second review of its human rights performance under the universal periodic review last year. Of the total of 195 recommendations received during the universal periodic review in November 2015, Nepal accepted 152 and took note of the remainder. The country has taken necessary initiatives with a view to implementing those recommendations and the observations made by the human rights treaty bodies as part of their consideration of the country's periodic reports.

15. Nepal has a good record of meeting its reporting obligations under international human rights treaties. The second periodic report of Nepal under the International Covenant on Civil and Political Rights and its third periodic report under the International Covenant on Economic, Social and Cultural Rights were considered by the Human Rights Committee and the Committee on Economic, Social and Cultural Rights in March and November 2014, respectively. Similarly, the combined third to fifth periodic reports of Nepal under the Convention on the Rights of the Child and the initial report under the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict were considered by the Committee on the Rights of the Child in May 2016.

Nepal submitted its initial report under the Convention on the Rights of Persons with Disabilities in August 2014, which is tentatively scheduled to be considered by the Committee on the Rights of Persons with Disabilities in March or April 2018. Similarly, Nepal submitted its most recent periodic reports under the International Convention on the Elimination of All Forms of Racial Discrimination in January 2017.

III. Constitutional provisions on human rights

16. The new democratic Constitution of Nepal, promulgated by the elected and inclusive Constituent Assembly, provides for a comprehensive set of civil and political rights as well as economic, social and cultural rights. By upholding universal democratic norms, values and principles, the Constitution guarantees civil liberties and fundamental freedoms. It ensures inclusive democracy, pluralism, the rule of law, an independent judiciary, and the democratic values of good governance, representative and accountable government, social and economic justice and universally accepted human rights.

17. The Constitution of Nepal safeguards the rights of every person, group and community, embracing the country's multi-ethnic, multilingual, multicultural and diverse geographical specificities. It further aims to create an egalitarian society on the basis of the principles of proportional inclusion and participation to ensure equitable economic opportunities, shared prosperity and social justice by ending discrimination on the basis of class, ethnicity, region, language, religion and gender. To that end, the mixed electoral system, inclusive representation of marginalized and disadvantaged communities in all State organs, positive discrimination and special provisions with regard to the rights of women, Dalits, Madhesi, indigenous people, Tharus, Muslims, persons with disabilities and minorities are guaranteed by the Constitution.

18. Similarly, with a view to empowering every sector of society, the Constitution provides for the establishment and strengthening of various independent constitutional commissions, such as the National Human Rights Commission, the National Women Commission, the National Dalit Commission, the National Inclusion Commission, the Indigenous People and Nationalities Commission, the Madhesi Commission, the Tharu Commission and the National Muslim Commission. These commissions are empowered to work exclusively for the promotion and protection of the rights, interests and well-being of their respective communities and to mainstream them into the national political, economic and social development process.

19. Preparations are being made to hold democratic elections at the federal, provincial and local levels to institutionalize the federal democratic system of governance as envisaged in the Constitution.

IV. Achievements and outcomes in the realm of human rights

National Human Rights Commission

20. The National Human Rights Commission, established as an independent statutory body in 2000, has now been elevated to a powerful constitutional body with a commensurate mandate, competence and independence. The Commission is fully compliant with the principles relating to the status of national institutions for the promotion and protection of human rights (Paris Principles) and has been accredited with "A" status by the Global Alliance of National Human Rights

Institutions. The Commission is mandated to ensure the respect, promotion and protection of human rights, is competent to launch inquiries and investigations into alleged human rights violations, and can recommend legal or departmental action against human rights violators. It monitors the overall human rights situation in the country and can recommend remedial measures if so required. The National Human Rights Commission Act of 2012 fully conforms to the Paris Principles and provides a legal foundation for the Commission to function as a powerful protector of human rights.

Independent and impartial judiciary

21. The independent judiciary of Nepal remains the guardian of the Constitution and custodian of the human rights and freedom enshrined therein. The judiciary has maintained its independence and impartiality under all circumstances and has delivered landmark verdicts in favour of protecting fundamental human rights, including on equal property rights for women, the rights of lesbian, gay, bisexual, transgender and intersex individuals, the rights of the child, protection against arbitrary detention, protection of the environment, and checks on excesses of authority.

Transitional justice mechanisms

22. From 1996 to 2006, Nepal went through a decade-long armed conflict, which ended after the signing of a comprehensive peace agreement in 2006. Addressing issues related to human rights and humanitarian law during an armed conflict of a political nature is a complex task. Nepal has established two separate transitional justice mechanisms, namely, the Truth and Reconciliation Commission and the Commission of Investigation on Enforced Disappeared Persons to deal with the outstanding issues. Both Commissions are working in accordance with their mandates. In the view of the Government of Nepal, the accomplishment of the tasks related to transitional justice will add to the country's unique peace process.

Gender equality and empowerment of women

23. Nepal is firmly committed to ensuring gender equality and, in this respect, has adopted a rights-based approach to the social, economic and political empowerment of women. By emphasizing gender equality and gender mainstreaming, the Constitution of Nepal ensures the right of women to lineage and their equal rights in family matters. It ensures that women comprise at least one third of the representatives in the federal parliament and the provincial assemblies, and at least 40 per cent at the local government level. Either the Speaker or the Deputy Speaker of each house of parliament must be a woman. The Constitution also ensures that the President and Vice-President of the country represent different sexes or communities. The current level of representation of women in parliament is impressive. Nepal has achieved impressive progress towards the gender empowerment and maternal and child health-related Sustainable Development Goals, which is reflected in gender parity in schooling and in the greater share of women in the civil service and who own property.

24. Implementation of the Constitution has resulted in an impressive record in the empowerment of women rarely seen in the contemporary world. At the time of writing, the President, Chief Justice of the Supreme Court and the Speaker of the House of Representatives were all women. Nepal takes immense pride in these achievements.

25. Similarly, special provisions have been made in the Civil Service Act for the inclusion of women at the policymaking level and in management of State affairs.

Likewise, the inclusive representation of women the army and other security institutions has increased. The Constitution has also elevated the National Women Commission by making it an independent and powerful constitutional body with a mandate to monitor and safeguard the rights and interests of women.

26. Nepal has been implementing the Beijing Platform for Action and its national action plan on the Convention on the Elimination of All Forms of Discrimination against Women. As a State party, Nepal has been submitting periodic reports on its implementation of the Convention. Through a concerted effort launched by the Government to safeguard the civil and political rights as well as the economic, social and cultural rights of women by investing in their well-being, impressive results have been achieved in reducing maternal and child mortality rates. Significant progress has been made with respect to the Sustainable Development Goals related to overall health. The Government is committed to making further efforts to achieve the Goals. Nepal has adopted a national action plan with respect to Security Council resolutions 1325 (2000) and 1820 (2008), which is being implemented with the active participation of all stakeholders, including those at the local levels.

Diversity management and social justice

27. As a country with a diverse ethnic and indigenous population, Nepal attaches great importance to the protection of the rights of indigenous people. There exists a mosaic of ethnic diversity, with a significant portion of the population belonging to indigenous groups. The Constitution of Nepal includes far-reaching provisions, including the proportional inclusion of indigenous people, women and Dalits, among others, in all structures of the State. State policies are directed at the uplifting of economically and socially disadvantaged indigenous nationalities by making special provisions in education, health, housing, food security and employment. Nepal ratified the ILO Indigenous and Tribal Peoples Convention in 2007 and remains one of the 22 countries (and the only one in Asia) to have ratified this convention.

Rights of the child

28. Nepal is a party to the Convention on the Rights of the Child and has also ratified its Optional Protocols on the involvement of children in armed conflict and on the sale of children, child prostitution and child pornography. Since the World Summit for Children, held in 1990, Nepal has given utmost priority to the issue of the welfare and protection of children. In accordance with its reporting obligations, Nepal submitted its third to fifth periodic reports on the Convention and its initial reports on both Optional Protocols, which have already been considered by the Committee on the Rights of the Child.

Right to information

29. Nepal believes that access to information for its citizens is an essential element in ensuring good governance and enhancing government accountability to the people. The Constitution enshrines the right to information as one of the fundamental rights. Every Nepali citizen has the right to ask for and obtain information of public importance. Nepal has taken several measures, including the enactment of the Right to Information Act in 2007, which established the independent National Information Commission, with the aim of protecting, promoting and ensuring the implementation of the right to information and ensuring the proactive disclosure of the activities of public entities. The growth of a vibrant and independent media and an active civil society have further contributed to the enjoyment of the right to information.

Implementation of the national human rights action plan

30. Nepal has been implementing a comprehensive national human rights action plan since 2004. This earnest national effort to protect and promote all human rights, including economic, social and cultural rights, has made a positive contribution to the mainstreaming of human rights issues into national development policies and plans.

Nepal and United Nations peacekeeping operations

31. Nepal fully acknowledges the importance of global peace for sustainable development, inclusive prosperity and the enjoyment of all human rights. In line with our commitment and adherence to the Charter of the United Nations, Nepal has been regularly participating in United Nations peacekeeping operations and stands as one of the largest troop- and police-contributing countries.

32. The contribution of Nepal to this noble cause of promoting international peace and security under the flag of the United Nations for over 58 years has earned wide international recognition and acclaim. More than 126,000 Nepali peacekeepers have participated in more than 42 different United Nations peacekeeping missions around the world. At the time of writing, Nepali peacekeepers were serving in all 16 United Nations peacekeeping missions, with 5,110 male and 161 female personnel deployed, and ranked sixth in terms of troop contributions. While serving under the auspices of the United Nations, 73 Nepali peacekeepers have made the ultimate sacrifice for the cause of international peace and security. Nepal has always responded positively to the call of the United Nations for troop contributions and remains fully committed to the implementation of the Kigali Principles on the Protection of Civilians during peacekeeping operations.

V. Voluntary pledges and commitments

33. In the context of the above and in line with our unflinching commitment to the promotion and protection of human rights, Nepal makes the following pledges:

National level

34. At the national level, Nepal will:

(a) Mobilize resources to the best of its capacity towards the effective realization of the fundamental rights contained in the Constitution;

(b) Implement in their true spirit the international and regional human rights instruments to which Nepal is a State party, including the Universal Declaration of Human Rights;

(c) Pursue an agenda for inclusive development while accommodating the interests and aspirations of all segments of society, giving particular attention to the pledge to leave no one behind, as reflected in the 2030 Agenda for Sustainable Development;

(d) Continue to pursue the goal of graduating from the status of a least developed country and achieving the status of a middle income country by 2030, notwithstanding the huge devastation and setbacks caused by the recent earthquakes;

(e) Intensify efforts for the implementation of the 2030 Agenda for Sustainable Development, the Addis Ababa Action Agenda of the Third International Conference on Financing for Development, the Sendai Framework for

Disaster Risk Reduction 2015-2030, the Paris Agreement under the United Nations Framework Convention on Climate Change and the outcomes of other major United Nations international conferences and their follow-up;

(f) Remain committed to addressing the cases related to violations of human rights that occurred during the conflict period and providing justice to victims, while promoting sustainable peace, harmony and reconciliation in society in order to make peace sustainable and irreversible;

(g) Ensure the independence and competence of the judiciary for the protection of human rights;

(h) Foster the growth and diversification of free and competent media that can reach out to all segments of society;

(i) Create an environment conducive to collaborative partnership with human rights defenders for the promotion and protection of human rights in the country and create an enabling environment in which human rights defenders can function independently;

(j) Work towards further strengthening and consolidating the institutional capacity of the Commission for the Investigation of Abuse of Authority, the Election Commission, the National Women Commission and similar bodies envisioned by the Constitution so as to ensure good governance, inclusive democracy, human rights and the rule of law;

(k) Strengthen the central role of the National Human Rights Commission in the protection and promotion of human rights, with a mandate for independent investigation of cases of human rights violations and for overall monitoring of the human rights situation;

(l) Preserve and further promote the right to freedom of expression and other freedoms provided for in the Constitution;

(m) Continue to cooperate and constructively engage with the special procedures and mechanisms of the Human Rights Council;

(n) Strengthen the capacity of Nepal to meet its obligations under the international human rights instruments to which it is a State party through effective implementation of relevant national action plans and programmes;

(o) Further strengthen capacity-building and training programmes in the field of human rights to law enforcement officials, judges, public prosecutors, lawyers, journalists, parliamentarians and the media;

(p) Implement and adhere to the recommendations accepted during the universal periodic review;

(q) Strengthen collaboration between the Government and civil society organizations in the promotion and protection of human rights for all;

(r) Continue reconstruction and rebuilding activities for early recovery from the devastating impact of the 2015 earthquakes.

International level

35. At the international level, Nepal will:

(a) Contribute to the work of the Human Rights Council for the promotion and protection of human rights and fundamental freedoms in a fair and equitable manner, without distinction of any kind;

(b) Continue to extend its support to the Office of the United Nations High Commissioner for Human Rights in the fulfilment its mandates;

(c) Cooperate with all relevant stakeholders to promote and protect human rights universally, inter alia, through dialogue, exchange of expertise, technical cooperation and advice, proceeding from the indivisibility and interrelatedness of all human rights, including the right to development;

(d) Adopt the approach of partnership and collaboration for the realization of universal human rights;

(e) Continue its support to the specialized agencies and United Nations programmes and funds that can facilitate the promotion and protection of human rights;

(f) Participate actively in global initiatives and discussions on the implementation of the 2030 Agenda for Sustainable Developments in the interest of the most needy. Nepal will continue to integrate the 2030 Agenda into its development plan and work towards the realization of the Sustainable Development Goals, including those related to the promotion and protection of human rights.